

REMARKS

Substance of Interview

Applicants thank the Examiner and her supervisor for the in-office interview held on February 10, 2004. The participants included Mylihn Tran and Kristine Kincaid of the USPTO and the applicants and applicant's representatives, David Miranda, Frank Occhiuti, Julian Orbanes, and Max Riesenhuber. To ensure a complete and proper recordation of the substance of the interview on, the following remarks are submitted in accordance with MPEP § 713.04.

A) Demonstrations were conducted showing a product that contains some embodiments of the inventions. Cell phones and PDA's were used to show the power of the interface and how it differed from Strasnick.

B) Claim 1 was primarily discussed.

C) Strasnick et al. (USPN 5,671,381).

D) There were no principle proposed amendments. Applicants pointed out differences from Strasnick and the Examiners pointed out whether or not such differences were included in the broadest claims.

E) The general thrust of the arguments was that the prior art of record failed to demonstrate applicant's claimed process that locates objects in a true three-dimensioned space.

F) See the Interview Summary Form completed by the Examiner re other cases also discussed.

G) No agreement was reached.

H) Not applicable to an in-office interview.

Specification-

Applicants have amended the abstract as suggested.

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Double Patenting-

Applicants shall file a disclaimer should patentable subject matter be identified.

Claim Rejections-

The examiner rejected claims 1-20 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,671,3871 to Strasnick et al. ("Strasnick"). Strasnick does not anticipate each and every claim limitation of applicant's invention. Currently amended claim 1 recites generating an appearance of a subset of said data objects associated with said spatial paradigm in a virtual space for display from an adjustable viewing perspective of the user, said appearance being based on the location of said subset of said data objects in said virtual space, wherein said virtual space includes a first dimension, a second dimension, and a third dimension, said first dimension corresponding to a plurality of planes within said virtual space at which one of said data objects can be located and said second and said third dimensions corresponding to a position of said one of said data objects within a plane.

In contrast to the applicants' invention, Strasnick does not locate data objects on different planes. In Strasnick, the "ground plane 140 within the information landscape represents a common surface plane upon which the cells 120 and connectors 130 are presented. The sky 150 represents a back plane within the informational landscape upon which additional attributes can be projected." [Strasnick, col. 5, lines 16-24 (emphasis added)] The third dimension in Strasnick is used to enable a comparative measurement of an attribute. For example, Strasnick states that the "height of the column 110 and pedestal 120 is proportional to the file and directory size, respectively." [Strasnick, col. 6, lines 48-50 (emphasis added)] This however, is not locating different data objects associated with different hierarchical plates on different planes as required by the applicants' claimed invention. For at least these reasons, claim 1, and all of its dependent claims distinguishes from Strasnick.

The applicant asks that all claims be allowed.

Enclosed is a \$475 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

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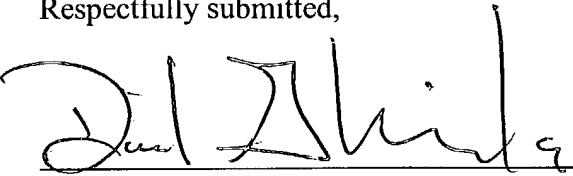
Applicant : Orbanes et al.
Serial No. : 09/782,939
Filed : February 14, 2001
Page : 10 of 10

Attorney's Docket No.: 15578-010001

Respectfully submitted,

Date: _____

5/12/04

A handwritten signature in dark ink, appearing to read "David Miranda", written over a horizontal line.

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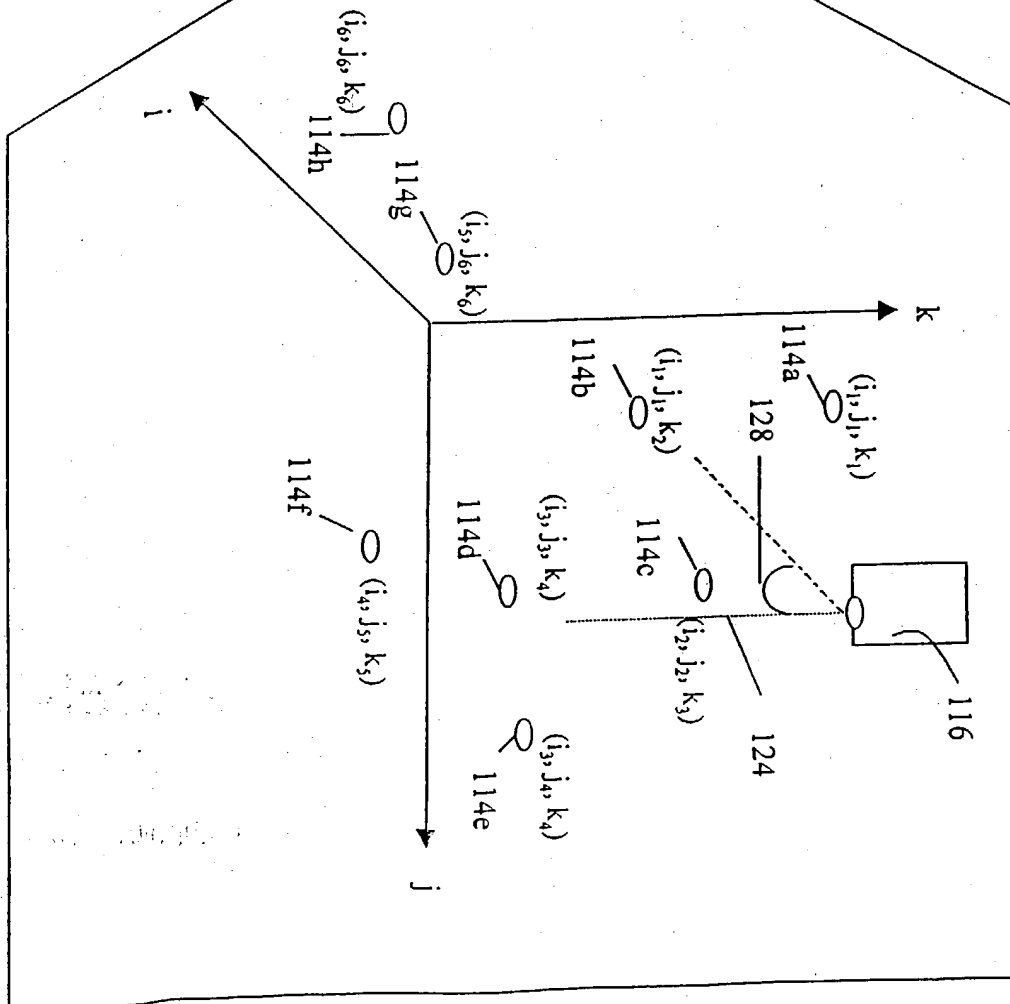
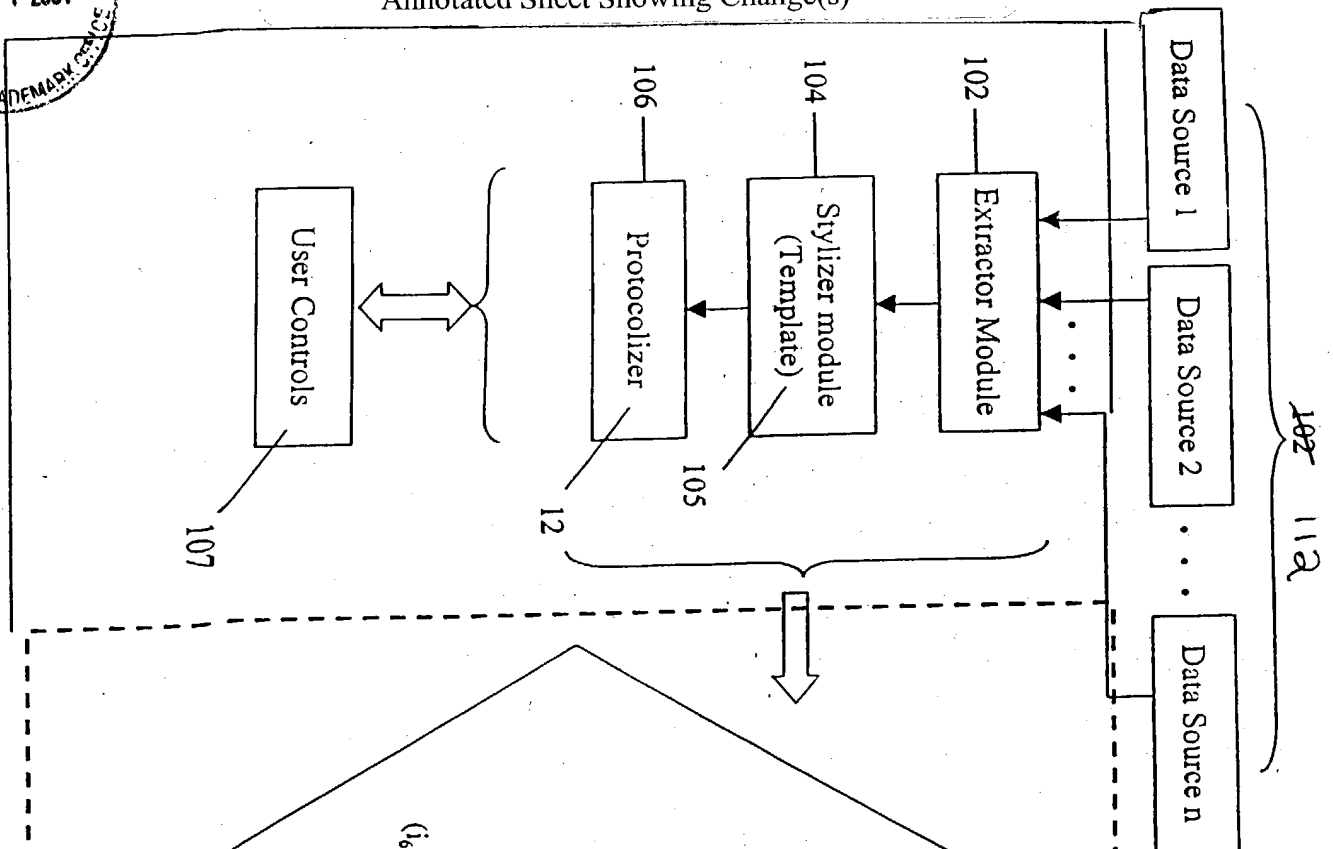


FIGURE 1